



March 16, 2005

## ENGROSSED SENATE JOINT RESOLUTION No. 7

DIGEST OF SJ 7 (Updated March 14, 2005 2:36 pm - DI 107)

**Citations Affected:** Article 1 of the Constitution of the State of Indiana.

**Synopsis:** Definition of marriage. Provides that marriage in Indiana consists only of the union of one man and one woman. Provides that Indiana law may not be construed to require that marital status or the legal incidents of marriage be conferred upon unmarried couples or groups. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

**Hershman, Craycraft, Bray, Drozda,  
Jackman, Waterman, Kruse, Nugent,  
Long, Riegsecker, Ford, Dillon,  
Harrison, Heinold, Young R Michael,  
Weatherwax**

(HOUSE SPONSORS — TURNER, BURTON, BORDERS, RUPPEL)

January 18, 2005, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

February 10, 2005, amended, reported favorably — Do Pass.

February 15, 2005, read second time, ordered engrossed.

February 16, 2005, engrossed.

February 21, 2005, read third time, passed. Yeas 42, nays 8.

### HOUSE ACTION

March 8, 2005, read first time and referred to Committee on Judiciary.

March 15, 2005, reported — Do Pass.

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ESJ 7 — SJ 9606/DI 75+



March 16, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular General Assembly.

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## ENGROSSED SENATE JOINT RESOLUTION No. 7

A JOINT RESOLUTION proposing an amendment to Article 1 of the Constitution of the State of Indiana concerning the definition of marriage.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. The following amendment to the Constitution of the
- 2 State of Indiana is proposed and agreed to by this, the One Hundred
- 3 Fourteenth General Assembly of the State of Indiana, and is referred to
- 4 the next General Assembly for reconsideration and agreement.
- 5 SECTION 2. ARTICLE 1 OF THE CONSTITUTION OF THE
- 6 STATE OF INDIANA IS AMENDED BY ADDING A NEW
- 7 SECTION TO READ AS FOLLOWS: **Section 38. (a) Marriage in**
- 8 **Indiana consists only of the union of one man and one woman.**
- 9 **(b) This Constitution or any other Indiana law may not be**
- 10 **construed to require that marital status or the legal incidents of**
- 11 **marriage be conferred upon unmarried couples or groups.**

ESJ 7 — SJ 9606/DI 75+



## COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Engrossed Senate Joint Resolution No. 7, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said joint resolution be AMENDED as follows:

Page 1, line 8, after "of one" delete "(1)".

Page 1, line 8, after "and one" delete "(1)".

Page 1, delete lines 10 through 12, begin a new paragraph and insert:

**"(b) This Constitution or any other Indiana law may not be construed to require that marital status or the legal incidents of marriage be conferred upon unmarried couples or groups."**

and when so amended that said bill do pass.

(Reference is to SJR 7 as introduced.)

LONG, Chairperson

Committee Vote: Yeas 7, Nays 4.

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SENATE MOTION

Madam President: I move that Senator Weatherwax be added as coauthor of Engrossed Senate Joint Resolution 7.

HERSHMAN

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Joint Resolution 7, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FOLEY, Chair

Committee Vote: yeas 9, nays 3.

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